

Applicant: Valentino Campagnolo
Application No.: 09/886,123

REMARKS

In the Action, the drawings were objected to for failing to comply with 37 CFR 1.83(a), specifically, for not showing the combination of a cleat and a pedal as claimed in claims 7-23. The revised Figures show a cleat in combination with a pedal in Figure 2. Applicant submits that the drawings are now in compliance with 37 CFR 1.83(a). Accordingly, Applicant respectfully requests withdrawal of the Examiner's objection to the drawings.

Claims 1-27 are currently pending in the Application. By the foregoing, Applicant has amended claims 1, 2, 4, 5, 6, 7, 13, 16, 18, 19, and 20, and added new claims 24-28. The new and amended claims are supported by the originally filed Application, and no new matter has been added.

In the Action, claims 1-23 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,522,282 to Nagano (Nagano '282). Applicant respectfully traverses this rejection following entry of the above Amendments and below arguments.

Nagano '282 shows a cleat contact plate 20 with a forward movement stopper 20a, rotation restrictors 20b, rear rotation restrictors 20c with cam surfaces 20d thereon. Inward or outward movement of a cleat (around the axis X in Figure 12) mounted to the contact plate lifts the cleat along the cam surface 20c/20d and frees it from its contact with the plate, thus disengaging a rider's foot.

Nagano '282 fails to disclose several features in the pending claims. In the current claims, the pedal and plate arrangement restricts or prevents inward disengagement of the rider's foot (and cleat). This is not a feature taught by Nagano. With regard to claims 1, 7, 18, 20, 25, 26, and 27, the means for opposing/resisting is arranged on only one side of a pedal or plate facing outwards relative to a mounted condition on a bicycle. Such an arrangement discourages inadvertent inward disengagement of the cleat because there is no inward resister that acts to lift the cleat and release it. Nagano, in contrast, has an inward cam 20d (nearer to the pedal shaft 1) that *assists* in inward disengagement (much like the outward stop in the current claims). The rotation cams 20c/20d disclosed by Nagano '282 only prevent disengagement when "treading force" is applied on the cleat. Col 9, lines 25-40.

Nagano '282 fails to disclose a stop positioned on a pedal or plate for preventing inward movement of a rear end of a cleat. Specifically, Nagano '282 does not disclose a stop means positioned on a base plate for limiting movement of a rear end of a cleat in an inward direction relative to the bicycle. Claims 4, 5, 13, 14, 27, and 28 claim such a "stop" that prohibits inward disengagement. Nagano '282 discloses only "forward movement stoppers" (20a) for stopping the forward motion of a cleat. The forward movement stoppers (20a) do not limit the movement of rear

end of a cleat. Nagano does not disclose any advantages for either the currently claimed inward movement restriction or prevention.

The advantages of avoiding inward disengagement of the foot are simple: it prevents harm to both the bicycle and the rider. An inward disengagement could result in the riders foot, leg, or shoe colliding against the crank, frame or chain (due to the foot moving towards the body of the bicycle). As claimed in all of the claims above, a rider's foot would not easily become inwardly disengaged from the pedal/plate while riding. Claims 4, 5, 13, 14, 27, and 28 claim a physical "stop" that prevents inward disengagement and claims 1, 7, 18, 20, 25, and 26 (and claims that depend therefrom) claim that there is no inward cam action- which also restricts inward disengagement. (The claimed stops prevent inward disengagement even when such a treading force is not applied to the pedal (such as when the pedal is in its upward swing and there is little or no treading force applied).) In all of the claims, a rider's foot could become outwardly disengaged by an outward lateral movement of the foot.

Claims 19 and 21 are further patentable over Nagano '282 because there is no disclosure or suggestion of a front seat integrally formed with a base plate. Similarly, the cited reference does not suggest or disclose a U-shaped front seat having two joining members formed integral with a pedaling surface, and a substantially open area between the joining members, as claimed in claim 24.

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In view of the above, Applicant respectfully submits that independent claims 1, 7, 18, 20, 25, 26, and 27 are patentable over Nagano '282 or any reasonably combination of the record art. Accordingly, the remaining claims, which depend from the independent claims are also patentable over the cited art. Applicant respectfully requests withdrawal of the Section 102 rejections and allowance of claims 1-28.

If for any reason the Examiner believes that an interview, either telephonically or in person, would advance prosecution of the application, the Examiner is respectfully requested to contact the undersigned to arrange an interview.

Respectfully submitted,

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